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C O N F I D E N T I A L SECTION 01 OF 05 USNATO 000615

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TAGS: [KCFE](#) [NATO](#) [PARM](#) [PREL](#) [OSCE](#) [RS](#)
SUBJECT: CFE: NOVEMBER 15 MEETING OF THE HLTF

REF: (A) STATE 145653 (GUIDANCE)

Classified By: DCM Richard Olson for reasons 1.4 (b and d).

¶1. (C) SUMMARY. At the NATO High Level Task Force on November 15, Allies welcomed U.S. updates on current U.S.) Russian Federation discussions and considered appropriate next steps in anticipation of Russian suspension of implementation of the CFE Treaty on December 12.

¶2. (C) Allies agreed to begin drafting a potential NATO statement in response to Russian suspension as well as the CFE language for the NAC communique. Allies also agreed to a &high road8 response to Russian suspension in the near term: Allies would continue to adhere to Treaty obligations (i.e. data exchange, inspections, etc.) in the immediate aftermath of Russian suspension, as the practical implications of Russian actions are evaluated. Some Allies who are members of the Vienna Convention on the Law of Treaties indicated they would likely register their legal position objecting to Russian suspension with the Depositary in order to protect their legal rights and options for the future, but would do so in a low key manner.

¶3. (C) With support from others, the U.S. and UK strongly opposed a German proposal for a CFE seminar-like event on the margins of the OSCE Ministerial in Madrid, citing its potential to hinder the bilateral negotiations process for both the U.S. and Russia. END SUMMARY.

HLTF

Reporting on Contacts and Bilaterals

¶4. (C) HLTF Head of Delegation, VCI DAS Karin L. Look, provided Allies with an update on the substance and outcome of recent U.S.-Russia bilateral meetings on CFE in Berlin and Geneva, and distributed the written summary on the most recent Fried-Antonov discussion in Geneva. Allies were appreciative of the update, but several requested more timely reports. Many Allies expressed satisfaction with the substance of U.S. efforts so far. Several Allies in the HLTF, most notably the UK, emphasized that Allies should do nothing to hinder or undermine that bilateral process. Germany described current negotiations as being three parallel processes: formal (such as the JCG), informal (such as the Paris and Bad Saarow seminars), and bilateral (U.S.-Russia meetings). Germany views these processes as

necessary and complementary. DAS Look described the Geneva meeting as substantive, as had been the case in Berlin, but noted that at this recent meeting Russia appeared less focused on finding solutions, and more on reiterating its substantive agenda, particularly on key CFE (vice Istanbul) issues. Most notably, Antonov advanced at the Geneva meeting a demand for a collective ceiling on NATO forces, which, along with Russian demands on the flank, appeared to the U.S. as a deal-breaker. Look made clear that while Russian interest in a collective ceiling on NATO (set at the levels established in Articles IV and V of the current CFE Treaty for a &group of states8) was not new, it had not previously been an element in the bilateral talks.

15. (C) Germany, seconded only by Italy, pressed hard for an informal meeting at 30 or 34 on the margins of the OSCE Ministerial in Madrid to continue further consultations on CFE. French rep Camille Grand was reserved on this issue, suggesting that certainly any such meeting should be below the level of ministers and that it would be best to review and confirm few days before the ministerial if such a CFE meeting would be useful. The U.S. Rep indicated that it was doubtful such a meeting in Madrid would be useful unless there were an agreed deal that Allies could endorse. Look observed that a meeting at 30 (or 34) would force Russia, by its own admission (per Antonov,s comments to Fried), to express maximalist positions and grandstand, which does not benefit the process of seeking a way forward. The UK offered that whether to have a meeting at the Ministerial need not be decided at this time. We could wait for an assessment from the U.S. on the progress of discussions and whether such a meeting would be helpful, such as if there is a deal that needs the blessing of all others. Otherwise, a meeting

USNATO 00000615 002 OF 005

should not be organized since it might hinder U.S. efforts. (NOTE. Despite apparent consensus on this approach, Spain and Germany announced, without warning, at the JCG in Vienna on November 20 their intention to schedule a CFE meeting in Madrid and German FM Steinmeier wrote to ministers making the same proposal. END NOTE.)

16. (C) A large number of other Allies took a different tack in criticizing the proposal for a meeting at 30. Turkey made it sharply clear that any further meetings at 30 must be preceded by NATO discussions to coordinate a message and positions on issues likely to be addressed. For the Turks in particular, this was a redline (COMMENT. The Turks believe that they were burned at the Paris CFE seminar, as German rep Groening brainstormed in the plenary) that is, in front of the Russians) about approaches to the flank issue. END COMMENT.) Turkey also expressed concern about a lack of Allied consultation before tabling initiatives by Allies in Joint Consultative Group (JCG) (the apparent concern was a German briefing and discussion of force balances by region and in the CFE area of application as a whole). Others supported Turkey,s call for more effective use of the NATO Caucus and JCG-T in Vienna for coordination.

17. (C) The NATO International Staff reported on the November 13-14 meeting of the NATO and Partner Chiefs of Defense (CHOD) wherein Russia (CHOD Baluyevskiy) stated its intent to suspend the CFE Treaty. With no Allied statement of objection having been made, General Baluyevskiy subsequently held a press conference on November 16 stating that the NATO CHODs agreed with his position.

18. (C) Bulgaria reported that in a meeting with the Moldovan Ambassador the Ambassador had stated that the process for political settlement in Moldova is on hold. He asked for details regarding the relationship between ideas on Moldova in the U.S. package proposal, and President Voronin,s recent demilitarization initiatives. U.S. team (EUR/PRM Jennifer Laurendeau) followed up after the meeting. The Moldovan ambassador also said that if Russia agrees to the parallel actions plan, the U.S. and EU will have stepped back from

previous positions and Russia will set up bases such as the U.S. bases in Romania and Bulgaria.

Preparing for Russian Suspension of the CFE Treaty

¶9. (C) Allies endorsed the concept, advanced by the U.S. rep, that in the period immediately following a Russian suspension, NATO should take the high ground by continuing full implementation of CFE provisions. Most Allies also agreed that any such position could only be maintained for a limited time, before taking stock of the situation and Russian non-compliance. France (Grand) argued that it is not certain what a suspension will mean in practice, and we should pursue three phases: First, gather evidence of a Russian suspension in practice; second, form our estimate of the Russian implementation of any suspension; and third, call an Extraordinary Conference if necessary to voice our position. Several Allies responded that it was already clear) because Russia had said so publicly) what a suspension would entail. It seemed unlikely that Russia would &suspend8 on paper but &implement8 in practice. Germany stated that a response should be carefully calibrated based on a cost-benefit analysis.

¶10. (C) Turkey, The UK, Canada, Poland, and Romania specifically stated that they will register their legal position in a low key fashion, perhaps before December 12, with the Depositary in order to protect their future rights under the Vienna Convention on the Law of Treaties (VCLT). Other members of the VCLT may choose to do the same.

¶11. (C) Most Allies want to continue to seek a solution to the current CFE impasse even after a Russian suspension, although many expressed that full implementation of the Treaty would only be sustainable for a very short period during that time. Some, like the French, are hesitant about the U.S.-Russian format for seeking a deal, but see it as the only game in town. The Germans would like a larger direct role in seeking a solution, but many Allies (TU, East Europeans, Baltics, UK) do not trust their intentions. On the other hand, several Allies (CA, BE, IT, UK, TU PO, CZ, PORT) underscored that &it should not be business as usual8

USNATO 00000615 003 OF 005

after a Russian suspension, without specifying what that means. U.S. Rep agreed that it should not be business as usual over the long term if Russia suspends, but also said that we should not jump to conclusions at this point regarding what that means.

¶12. (C) Romanian Rep Micula argued at the high end, that the current approach)- of compromising to address Russian concerns -- is not working and that NATO should return to its previous principles. Romania pledged not to support any statement lowering the political cost to Russia after suspension, and suggested Allies should not beg Russia to return to negotiations. To Romania, the CFE Treaty will lose value if NATO departs from the principles that the Treaty reinforces. The Czech Rep added that CFE is important to Europe but ~ at any price.8 (COMMENT. It is clear that Italy, Belgium, Romania, and Canada do not/not all have the same idea of what the cost to Russia should be of suspension. But &no business as usual8 was a rallying cry across the spectrum of NATO opinion, and it is an impulse we will want to channel to best effect, including by insisting on better future coordination of NATO proposals and ideas, like seminars at 30. END COMMENT.)

¶13. (C) In its only intervention for the day, Canada (Poupart) stated that Allied commitment cannot be the same after suspension. Admitting that Canada was first inclined to not exchange data with Russia on the principle of reciprocity, it now understands the benefit of first gaining a feel for the practical effect of suspension as a stronger

basis for a calibrated reaction. Poupart also noted the parallel action plan calls for some Allies to begin ratification of the adapted Treaty before all Istanbul commitments are fulfilled, which departs from previous NATO positions. Canada asked if this position really has consensus.

The Way Ahead

¶14. (C) The HLTF discussed the IS paper on &Elements for Ministerial Communique and Contingency Statement⁸ (Annex 1, LTF-N(2007)0053-REV1). U.S. HOD Look suggested that the Communique language could be used for a NATO statement at the OSCE Ministerial which precedes it if a consensus Ministerial declaration is not possible. A draft text closely modeled on U.S. thinking was issued following the HLTF for consideration and refinement by HLTF Deputies.

¶15. (C) The NATO IS has set up a team of experts to help the Baltic states review military needs in preparation for accession to the adapted CFE Treaty. The IS is still missing a representative from Allied Command Transformation but hope to begin its effort very soon.

¶16. (C) The HLTF chair (Simmons) informed the HLTF that the Permanent Representatives tasked a paper on &Raising NATO,s Profile in the field of Arms Control and Disarmament.⁸ DAS Look echoed U.S. concerns that have been raised in other NATO contexts regarding the need to take account of Russia,s approach to CFE in framing any future plans regarding dialogue on new CSBMs or future approaches on conventional arms control. France also expressed the need for any papers or statements regarding CFE should be first blessed by the HLTF. Simmons responded that this document was an NATO-internal document to be used for planning purposes only.

¶17. (U) The HLTF Deputies plan to meet on November 21 and 23 to work on the text for the NAC Communique, and on December 10 to finalize the text of the NATO Statement regarding Russian suspension (if it occurs). The next meeting of the HLTF is proposed to take place on December 14th and will focus on the way forward based on Russian actions.

Meetings on the Margins

¶18. (C) The pre-HLTF Quad meeting (U.S., UK, France, Germany), focused initially on a U.S. debrief of U.S.-Russia consultations, and then on the way ahead, post- December 12. Following the U.S. debrief, Germany (Biontino) reported that Antonov had expressed to German authorities a negative view of recent discussions in Geneva, stating that Georgia had not been willing to go as far as the U.S. had suggested on a Gudauta solution. France (Grand) reported the opposite: DFM

USNATO 00000615 004 OF 005

Grushko had, in fact, told the French that Antonov was pleased with progress. France said that all elements of a deal were in the U.S. plan and there is no plan &B.⁸ France expressed the hope that Putin, who has &full flexibility⁸ to implement the suspension decision as he chooses, will not choose actually to halt practical implementation. Grand added that in previous discussions France had argued for consideration of negotiation of a new Treaty to replace CFE. Paris had now reconsidered that view. Any attempt to work out alternative Treaty structures could keep us busy for the next five years, and would not yield an equal result to the current or Adapted CFE Treaties; CFE is the Treaty we need to keep, and that should be the focus of our efforts.

¶19. (C) Germany repeated a familiar message that the U.S.-Russia process should be more inclusive as CFE affects European security (and the U.S. is not &European⁸). This led him to suggest that a meeting at 30 in Madrid would be a useful follow up to Bad Saarow and Paris. When pressed about

whether the U.S. has been inclusive, Biontino offered no answer, but he stated that the U.S. holds its meetings and then reports on what has been discussed which, so far, has been consistent with Allied positions. France showed a similar ambivalence, i.e. support for U.S. positions and efforts but concern about the inclusiveness of the process.

¶20. (C) France asked if Russia was required to give any further official notice to the Depositary prior to suspending or would suspension be automatic based on their previous notice of intent to suspend? The U.S. delegation responded that the Russian Notice and accompanying Memorandum appeared to establish a period of 150 days after which, absent modification or rescission by Russia, suspension would automatically take place. No further notice by Russia would be required.

¶21. (C) In other bilateral meetings:

- Baltic States (Estonia, Lithuania, Latvia). Lithuania distributed a paper outlining basic principles to guide their approach on setting ceilings, including that current levels couldn't be an automatic template for future ceilings (their military infrastructure is only now being developed and they may have to build up), the need to meet NATO and national requirements, and the desire to have all Treaty mechanisms available to them including extraordinary temporary deployments (meaning they don't want to be in the flank). Estonia reiterated principles it had expressed in Paris, focusing on the need for flexibility to meet needs as its defense establishment developed and the requirement to meet NATO and national obligations. All three were sharply critical of German and French freelancing at the Paris CFE seminar, and expressed concern about the idea of a meeting at 30 or 34 in Madrid: it would accomplish little except to expose differences among Allies. The Lithuanian and Latvian reps also underscored that it did not seem entirely reasonable that they should be bound by the flank restrictions, when in fact the portion of Russia that bordered their territory) the Pskov Oblast) had been removed from the flank in the 1996 Flank Agreement.

- Romania. After hearing the U.S. debrief of the Geneva meeting, Romanian rep Micula underscored that it did not look promising for a resolution on CFE that avoided Russian suspension. If Russia suspended it was reasonable to suppose that most) if not all) Allies would be unable to ratify the Adapted Treaty, even if they wanted to. Thus Allies would need to look again at our strategy: it was time to recognize that Russian suspension would not be a disaster for NATO or for Europe, and long as NATO did not respond to it by giving in to a long list of Russian demands. We might lose CFE, but we needed to stand by our principles. Micula also asked for) and received -- details regarding the Moldova package now in play.

- Turkey. Turkey (Beyer) stated that its ratification process could take more than a year for non-controversial agreements. Beyer expressed support for the U.S. plan to take the high road and take further action after analyzing what Russia has or has not done to comply with the Treaty. He felt that the Allies should call an Extraordinary Conference after January 1, 2008. For Turkey, the flank is the core of the Treaty. Turkey is willing to review the flank in the context of a review of all elements after entry-into-force of the adapted Treaty but not before. Asked whether the U.S. should

USNATO 00000615 005 OF 005

continue to pursue a CFE agreement on the model of the U.S. package in the wake of a suspension decision, Beyer's support for continued U.S. efforts was emphatic. He made clear that Turkey did not trust Germany, in particular, to maintain a firm position on the flank or on issues related to Istanbul, which Germany considered as important as the flank) and closely related.

- UK. U.S. Rep Look and Laurendeau met with U.K rep Ford over dinner prior to the Quad meeting and HLTF. Among the issues discussed was how to position ourselves regarding the likely German proposal for another informal (at Madrid) and how Allies should react if/when Russia suspends. The U.S. and UK were of like minds on both and, as a result of this consultation, were able to complement each other on these issues at both the Quad and the HLTF.

- Canada. U.S. Rep Look met briefly with Canadian Rep Poupart regarding how we should react to suspension if it occurs on the 12th. Look sought this meeting because in previous HLTF meetings Canada had indicated it was seriously considering an early declaration of &material breach8 if Russia were to suspend. It was good news when, at the HLTF the following day, Canada was able to join the U.S. concept of a moderate &fulfill all obligations8 response in the immediate aftermath of suspension.

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